

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

DARREN C. DEMARIE,

Plaintiff,

vs.

REGINALD MICHAEL, LYNN
GUYER, JAMES SALMONSEN,
CHRISTINE KLANECKY, and PETER
BLUDWORTH,

Defendants.

CV-21-0008-H-SEH

ORDER

The Court dismissed Darren C. DeMarie's ("DeMarie") complaint under 42 U.S.C. § 1983 on July 1, 2021 for failure to state a claim for relief.¹ Judgment was entered.² On July 12, 2021, DeMarie moved to alter or amend the judgment, citing Fed. R. Civ. P. 59(e) and contending the Court based its decision on a manifest error of law or fact.

The court enjoys considerable discretion in granting or denying the sparingly granted extraordinary remedy of amendment of judgment.³

¹ Doc. 8.

² Doc. 9.

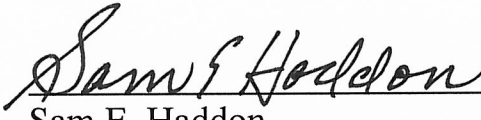
³ *McDowell v. Claderon*, 197 F. 3d 1253, 1255 n. 1 (9th Cir. 1999) (en banc) (per curiam).

Deficiencies in complaint cannot be remedied by amendment. No valid basis under Fed. R. Civ. P. 59(e), to alter or amend the judgment is shown.

ORDERED:

DeMarie's Motion to Alter or Amend⁴ is DENIED.

DATED this 20th day of July, 2021.



Sam E. Haddon
United States District Court Judge

⁴ Doc. 10.